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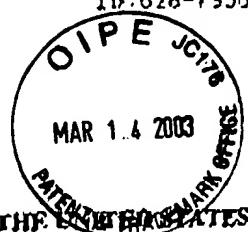
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002/006

09/771,416



Attorney Docket No. 13493

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Daniel PESHERIN

Serial No.: 09/771,416

Filed: January 26, 2001

For: UNIVERSAL CLYCAT

Group Art Unit: 3728

Examining Attorney: Jila M. Muhandes

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) Pasadena, California

DECLARATION OF DAN FLOYD

I, Dan Floyd, declare:

1. I am buyer for Hibbett Sports. I have personal knowledge of the following facts.

2. Hibbett Sports before Pro Arc cleats came on the market, was carrying convention-style baseball cleats from four different vendors. We carried Reebok, Nike, Adidas and Easton styles. We were trying to maintain inventory of metal and plastic replacement cleats from all four vendors. The shipments from the vendors left a lot to be desired, i.e., many times we ran out of inventory.

3. We realized that although the footprints for the replacement cleats were similar, there were slight variations that made it impossible for one type to fit all the brands.

4. I had a good relationship with the people at the Libonell Company, so I approached them with the project of developing one cleat to fit all the major brands. Their execution of this idea was terrific. Once Hibbett Sports took delivery of the Pro Arc cleats, we discontinued carrying the products that were vendor-specific.

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Attorney Docket No. 13493

5. The Pro Aro cleat has made a big difference in our business in that we have not had to worry about being out of stock on any of the eight different types of cleats that we used to carry.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and such willful false statements may jeopardize the above-identified application and any patent resulting therefrom.

Dated: 2/25/03

Don Floyd

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**HIBBETT SPORTS**

To: Jon Reichlin  
Shoe Store Supplies

Jon,

This is just to give you some history on how the Pro Arc replacement cleats came about. At the time we were carrying conversion-style baseball cleats from four different vendors. We carried Reebok, Nike, Adidas, and Easton styles, and it was a category that was growing rapidly for us. As you know, detachable football cleats and track spikes are universal, so no matter how many styles or vendors you carry, it's always been easy to support a replacement business. That was not the case for baseball cleats. We were trying to maintain inventory in metal and plastic replacement cleats from all four vendors that we carried. The shipping left a lot to be desired. Somewhere along the line we realized that the footprints for the replacements were similar, but there were slight variations that made it impossible for one type to fit all of the brands (and Adidas even uses a different quantity per shoe). I had a good relationship with the guys at the Libonati company, and I knew that they had good access to resources overseas, so I approached them with the project of developing one cleat that fit all of the major brands. They had access to an engineer that was able to spec out a cleat that would fit each of the brands. It was our idea, but their execution was terrific (we had inventory in our stores eight months after I handed them a handful of replacement cleats from the different vendors). From the time I took delivery of the Pro Arc cleats, we discontinued carrying the product that was vendor-specific. It has made a big difference in our business in that we haven't had to worry about being out of stock on one of the eight skus that we used to carry. I look forward to keeping things going with you now that your company has the product. Thanks

Dan Floyd  
Buyer – cleated and youth footwear

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